

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-6 and 9-10 are currently pending. Claims 1-6 are independent. Claims 1-6 and 9 are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed.

Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

II. CLAIM OBJECTIONS

Claims 1-6 have been amended to recite, “encoding the image sensing signal” and “recording the image sensing signal” in lieu of “encoding the image” and “recording the image,” respectively. This clarifies what was inherent. Applicant respectfully requests withdrawal of this claim objection.

Claims 1-6 have been amended to recite “image sensing” instead of “image-sensing” to provide consistency of claim terminology. Applicant respectfully requests withdrawal of this claim objection.

Claims 1-6 have been amended to correct minor syntactical errors.

III. REJECTIONS UNDER 35 U.S.C. §103

Claims 1-6 and 9-10 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,614,477 to Lee et al. (hereinafter, merely “Lee”) in view of U.S. Patent No. 5,767,903 to Kawamura et al. (hereinafter, merely “Kawamura”) and further in view of U.S. Patent No. 6,222,986 to Inuiya.

Applicant respectfully traverses these grounds of rejection. As discussed below, Lee is not prior art because the foreign priority date of the present application is prior to the U.S. filing date of Lee.

Lee is not prior art to the present application because Lee has a U.S. filing date of **November 6, 1998** that is **after** Applicant’s foreign priority date of **July 22, 1998**. Applicant may rely on his foreign priority date under 35 U.S.C 119(a) to establish a date of invention earlier than a reference that has a U.S. filing date that is later than Applicant’s foreign priority date, even if the reference has a foreign priority date that precedes Applicant’s foreign priority date. 35 U.S.C. 102(e)(2).

To overcome the rejection based upon Lee, Applicant submits herewith a verified English translation of priority Japanese application 10-206953, filed in Japan on July 22, 1998. In the original Inventors’ Declaration, Applicant asserted a claim of priority to this Japanese application. It is readily apparent that claims 1-6 and 9-10 find support in this priority application.

Accordingly, Applicant submits that Lee is disqualified as prior art in a rejection under 35 U.S.C. 103(a). Thus, all of the outstanding rejections based upon combinations involving

Lee in the above-noted Office Action are overcome. Claims 1-6 and 9-10 were rejected only over combinations of patents involving Lee.

In view of above statements, withdrawal of the rejection of claims 1-6 and 9-10 under 35 U.S.C. §103(a) is respectfully requested.

IV. DEPENDENT CLAIMS

The other claims are dependent from one of the claims discussed above and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

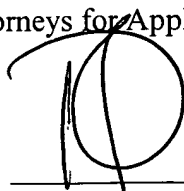
Claims 1-6 and 9-10 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

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A handwritten signature in black ink, appearing to be 'Paul A. Levy', written over a horizontal line.

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